

PTO/SB/30 (01-08)

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# Request For Continued Examination (RCE) Transmittal

Address to:  
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|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/745,304        |
| Filing Date            | December 22, 2000 |
| First Named Inventor   | Julio C. Palmaz   |
| Art Unit               | 3738              |
| Examiner Name          | Cheryl L. Miller  |
| Attorney Docket Number | 6006-019          |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

a. ☒ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

iii. ☒ Other Information Disclosure Statement filed 1/30/02

b. ☒ Enclosed 09745304

i. ☒ Amendment/Reply

375.00 CH  
55.00 CH ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-2000

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                           |                                   |             |
|-------------------|---------------------------|-----------------------------------|-------------|
| Name (Print/Type) | David G. Rosenbaum        | Registration No. (Attorney/Agent) | 31,872      |
| Signature         | <i>David G. Rosenbaum</i> | Date                              | May 2, 2003 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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| Name (Print/Type) | Lori Dunham        | Date | May 2, 2003 |
| Signature         | <i>Lori Dunham</i> |      |             |

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This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

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## FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: (703) 305-3590

To: Examiner Cheryl L. Miller  
 Of: U.S. Patent and Trademark Office  
 From: Rosenbaum & Associates, P.C.  
 Client/Matter: 6006-019  
 Date: May 2, 2003

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| DOCUMENTS   | NUMBER OF PAGES* |
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| Fax Transmittal                                     | 1                |
| Request for Continued Examination (RCE) Transmittal | 1                |
| Amendment Transmittal                               | 3                |
| Amendment and Response to Final Office Action       | 11               |
|   |                  |
|   |                  |
| <b>TOTAL</b>  | <b>16</b>        |

**COMMENTS:**

**In re:**  
**Application Serial No. 09/745,304**  
**Applicant: Palmaz, et al.**  
**Title: Endoluminal Device Exhibiting Improved Endothelialization**  
**and Methods of Manufacture Thereof**  
**Attorney Dkt No. 6006-019**

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PATENT

Attorney Docket: 6006-019

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Palmaz, et al.

SERIAL NO.: 09/745,304

EXAMINER: C. Miller

FILING DATE: December 22, 2000

Group Art Unit: 3738

TITLE: ENDOLUMINAL DEVICE EXHIBITING IMPROVED  
ENDOTHELIALIZATION AND METHOD OF MANUFACTURE THEREOF

## CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this document (along with any referred to as being attached or enclosed) is being transmitted by facsimile to Examiner Cheryl Miller, Art Unit 3738, United States Patent and Trademark Office, Facsimile No. 703-305-3590 on May 2, 2003.

  
Lori Dunham

## AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

This Preliminary Amendment is being concurrently filed with a Request for Continued Examination and is responsive to the Final Office Action mailed January 2, 2003 in the parent application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

#10  
S. Miller  
5/7/03